

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARY SEMANCHIK,

Plaintiff,

v.

MIDLAND FUNDING, LLC,

Defendant.

:
:
:
:
:
:
:
:
:
:
:
:

CASE NO. 2:20-cv-1287

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that on this date, Midland Funding, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. MF is the defendant in a civil action originally filed on or about April 1, 2020, in the Court of Common Pleas of Allegheny County, Pennsylvania, titled *Mary Semanchik v. Midland Funding, LLC* and docketed to Case No. GD-20-004841.

2. This removal is timely under 28 U.S.C. § 1446(b). MF received service of process by certified mail on July 31, 2020.

3. Pursuant to 28 U.S.C. § 1446, attached here as Exhibit A are copies of all process, pleadings, and orders Defendants received in the state court action.

4. The District Court¹ has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against MF alleging violations of the Fair Debt Collection

¹ Although Plaintiff has filed this lawsuit in Allegheny County, thus requiring Defendant to remove the case to this Court, the face of Plaintiff's Complaint demonstrates that Plaintiff's claims arose

Practices Act, 15 U.S.C. § 1692, *et seq.* and the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.*

5. On this date, MF has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant Midland Funding, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

MESSER STRICKLER, LTD.

By: /s/ Lauren M. Burnette
LAUREN M. BURNETTE, ESQUIRE
PA Bar No. 92412
12276 San Jose Blvd.
Suite 718
Jacksonville, FL 32223
(904) 527-1172
(904) 683-7353 (fax)
lburnette@messerstrickler.com
Counsel for Defendant

Dated: August 31, 2020

from conduct that occurred in Luzerne County, which lies within the jurisdiction of the United States District Court for the Middle District of Pennsylvania.

CERTIFICATE OF SERVICE

I certify that on August 31, 2020, a true copy of the foregoing document was served as follows:

Via Email and U.S. Mail, Postage Prepaid

Joshua P. Ward
Kyle H. Steenland
The Rubicon Building
201 South Highland Avenue
Suite 201
Pittsburgh, PA 15206
jward@fentersward.com
ksteenland@fentersward.com
Counsel for Plaintiff

Via Electronic Filing

Court of Common Pleas
Allegheny County
414 Grant St.
Pittsburgh, PA 15219

MESSER STRICKLER, LTD.

By: */s/ Lauren M. Burnette*
LAUREN M. BURNETTE, ESQUIRE
PA Bar No. 92412
12276 San Jose Blvd.
Suite 718
Jacksonville, FL 32223
(904) 527-1172
(904) 683-7353 (fax)
lburnette@messerstrickler.com
Counsel for Defendant

Dated: August 31, 2020